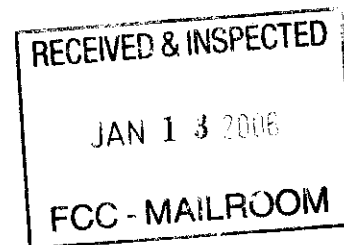


System: 165.135.210.45 sec fax,sec, 4181087 --- Time Printed: 01-13-2006 09:28:38

From: 7082255055
Media: Fax 4 pages
Subject:
Status:
Received: 08:57 AM 01/13/06



No. of Copies rec'd 0
List A B C D E

**Thornton Township High
School District 205****Fax**

RECEIVED & INSPECTED

JAN 13 2006

FCC - MAILROOM

To: FCC **From:** Larry Scaletta
Fax: 202-418-0187 **Pages:** 4 including this cover sheet
Phone: **Date:** 2006 January 13
Re: Request for Review
CC Docket No.96-45 and CC Docket No. 02-06

Urgent ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

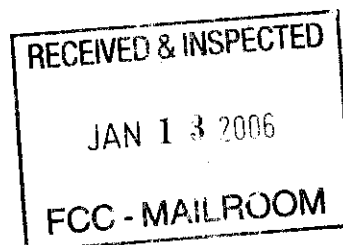
Next Page: Thornton District 205 Appeal Letter
Last Two Pages: USAC letter being appealed

Applicant Name: Thornton Township High School District 205
Billed Entity Number: 135537
Form 471 Application Number: 393315
Funding Request Number: 1078758
Person Submitting Appeal: Larry Scaletta
Director of Research
708.225.4026
708.225.5055 (fax)
Scaletta.Larry@District205.net

No. of Copies rec'd 0
List A B C D E



THORNTON TOWNSHIP HIGH SCHOOL DISTRICT 205
465 EAST 170TH STREET • SOUTH HOLLAND, ILLINOIS 60473-3481
708.225.4000 • FAX: 708.225.4004



2006 January 13, 2006

Request for Review
CC Docket No. 02-6
CC Docket No. 96-45

APPLICANT NAME:	THORNTON TOWNSHIP HIGH SCHOOL DISTRICT 205
BILLED ENTITY NUMBER:	135537
FORM 471 APPLICATION NUMBER:	393315
FUNDING REQUEST NUMBER:	1078758

FRN 1078758 has been denied. The USAC has "determined that price was not the primary factor in selecting the service provider's proposal....According to program rules, price must be the primary factor in choosing a vendor when multiple bids are received."

Our Board of Education awards contracts to the lowest responsible/reliable bidder.

Lowest bidder and lowest responsible/reliable bidder normally are not in conflict. Sometimes the lowest bidder doesn't have a history of responsibility/reliability. When this occurs, District 205 must use its best judgment in awarding the contract.

When we get past the words we need to look at the costs. SBC was \$2,423.28 less than CIMCO per month. This is a yearly savings of over \$29,000.

The contract was awarded to the lowest bidder and lowest responsible/reliable bidder – SBC.

Please reverse the USAC Administrator's Decision on Appeal dated November 16, 2005.

Respectfully submitted,

Larry Scaletta
Director of Research

THORNRIIDGE HIGH SCHOOL
15000 Cottage Grove Ave.
Dalton, Illinois 60419
708.841.5180

THORNTON HIGH SCHOOL
15001 Broadway Ave.
Harvey, Illinois 60426
708.596.1000

THORNWOOD HIGH SCHOOL
17101 South Park Ave.
South Holland, Illinois 60473
708.339.7800



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2004-2005

November 16, 2005

Larry Scaletta
Thornton Township High School District 205
465 East 170th Street
South Holland, IL 60473-3481

RECEIVED & INSPECTED

JAN 13 2006

FCC - MAILROOM

Re: Applicant Name: THORNTON TOWNSHIP HIGH SCHOOL
DISTRICT 205
Billed Entity Number: 135537
Form 471 Application Number: 393315
Funding Request Number(s): 1078758
Your Correspondence Received: August 26, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2004 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1078758
Decision on Appeal: Denied
Explanation:

- On appeal, you seek reversal of the SLD's decision to deny this funding request because price was not the primary factor in selecting the service provider's proposal. You state that since SBC Illinois has an agreement with Illinois Century Network, you believe that it would give a school a deep discount for their lines. You further state that when you look at prices, SBC is not only less expensive, but significantly so. You explain that you need reliability and believe that SBC gives you the best of both worlds. In closing the appeal, you request that the funding decision be re-reviewed and reversed.
- Upon thorough review of the appeal letter and all relevant documentation, it was determined that price was not the primary factor in selecting the service provider's

proposal. During the Selective review, you indicated that there were two bids received for FRN 1078758 and provided the criteria used to select the service provider as follows: 55% were given to reliability and 45% were given to cost for all FRNs. According to program rules, price must be the primary factor in choosing a vendor when multiple bids are received. You failed to provide evidence that SLD has erred in its decision. It is ultimately the applicant's responsibility to ensure their application be in compliance with the FCC rules.

- SLD's review of your Form 471 application determined that price was not the primary factor when you selected your service provider. Since you did not demonstrate in your appeal that price was the primary factor when you selected your service provider, SLD denies your appeal.
- FCC rules require that applicants select the most cost-effective services offering with price being the primary factor. 47 C.F.R. § 54.511(a). Applicants may take other factors into consideration, but in selecting the winning bid, price must be given more weight than any other single factor. 47 C.F.R. § 54.511(a); *Request for Review by Ysleta Independent School District, et. al., Federal State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45, 97-21, Order, FCC 03-313 ¶ 50 (rel. Dec. 8, 2003). Ineligible products and services may not be factored into the cost-effective evaluation. See Common Carrier Bureau *Reiterates Services Eligible for Discounts to Schools and Libraries*, CC Docket No. 96-45, *Public Notice*, 13 FCC Rcd. 16,570, DA 98-1110 (rel. Jun. 11, 1998).

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company